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10/076,346	02/19/2002	Akira Takano	F05-138810M/ARK	1374		
7	590 01/09/2004		EXAM	INER		
McGinn & Gibb, PLLC			GUTMAN,	GUTMAN, HILARY L		
Suite 200 8321 Old Cour	thouse Road		ART UNIT	PAPER NUMBER		
Vienna, VA 22182-3817			3612	•		
			DATE MAILED: 01/09/2004	ı		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Application No. In O76;346						\sim \		
Examiner Art Unit Sit 2			Applicati	on No.	Applicant(s)	W		
Hillary Gutman Sis12		~	10/076,3	46	TAKANO ET AL.			
# Hillary Gulfman 3812 ## ASHORTENIDED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ## Emailing of time may be available under the prevailable of 17 CPR 1.135(a). In no event, however, may a reply be limited to the member of the prevailable under	,	Office Action Summary	Examine	r	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ± MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13(o). In no event, however, may a reply be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(o). In no event, however, may a reply be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(o). In no event, however, may a reply be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(o). In no event, however, may a reply be timely filled. Extensions of time may be available under the provisions of 37 CFR 1.13(o). In no event, however, may a reply be timely filled. Extensions of time may be available under the provision of 37 CFR 1.104(o). Extensions of time may be available under the provision of 18 December 2003. Status 1) □ Responsive to communication(s) filled on 18 December 2003. 2a) □ This action is FINAL. 2b) ☑ This action is FINAL. 2b) ☑ This action is FINAL. 2b) ☑ This action is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 1.12.15.16.19 and 20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are rejected to. 5) □ Claim(s) is/are rejected to. 5) □ Claim(s) is/are allowed. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filled on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filled on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The cath or declaration is objected to the priority documents have been received in Application PTO-152. Priority under 35	•		Hilary G	utman	3612			
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be valiable under the provisions of 37 CPR 1.13(e). In no event, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of the communication. **Fellows to reply visite in the set or outended period for reply will be the standary minimum of thish; (20) days will be considered timely. **Fellows to reply visite in the set or outended period for reply will, by stanting, cause the application to become ABANCONED (39 U.S.C. § 133). **Any reply received by the Office above, the maximum stantery period was application to become ABANCONED (39 U.S.C. § 133). **Any reply received by the Office above, the maximum stantery period was application, even if timely filed, may reduce any secured patient term adjustment. See 37 CPR 1.78(b). **Status** 1) **Responsive to communication(s) filed on 18 December 2003. 2a) **This action is FINAL. 2b) **This action is FINAL. 2b) **This action is non-final. 3) **Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. **Disposition of Claims** 4) **Claim(s) 1-12,15,16,19 and 20 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. Application Papers 9) 1) The specification is objected to by the Examiner. Application Papers 9) 1) The drawing(s) filed on is/are: a) accepted or b) is/are objected to by the Examiner. Application Papers 9) 2) Claim(s) is/are objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 and 120 1) Acknowledgment is made of a claim for fo		• •		O EVDIDE 4 MONTH/	e) EDOM			
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Application/Control Number: 10/076,346

Art Unit: 3612

DETAILED ACTION

Page 2

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Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-4 and 7-12, drawn to a blower unit mounting strucutre, classified in class 296, subclass 70.
 - II. Claims 5-6, 15-16, and 19-20, drawn to a method for mounting, classified in class29, subclass 428.
- 2. The inventions are distinct, each from the other because of the following reasons:

 Inventions II and I are related as process of making and product made. The inventions are

 distinct if either or both of the following can be shown: (1) that the process as claimed can be

 used to make other and materially different product or (2) that the product as claimed can be

 made by another and materially different process (MPEP § 806.05(f)). In the instant case the

 product as claimed can be made by another and materially different process that does not include
 the specific recited steps of the process.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Mr. Jim Howard on Tuesday, January 06, 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hilary Gutman whose telephone number is 703-305-0496. The examiner can normally be reached on M-F 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 703-308-3102. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1134.

Human German 3612 116107

EXAMINER'S CASE ACTION WORKSHEET

Application No. 10 1076, 346		Legal Instrument Examiner			
CHECK TYPE OF ACTION	DATE OF COUNT				
Non-Final Rejection	Restriction/ Election Only	Final Rejection			
Ex Parte Quayle	Allowance	Advisory Action			
Examiner's Answer	Reply Brief Noted	Non-Entry of Late Paper			
Defective Notice of Appeal or Defective Appeal Brief	Interference SPE (Approval for Disposal)	Suspension SPE(Initial)			
Allowance After Examiner's Answer	SIR Disposal (use only after FAOM)	Post-Allowance Communication			
Miscellaneous Office Letter (With Shortened Statutory Period Set)	Notice of Non-Responsive Amendment (With One Month Time Period Set)	Miscellaneous Office Letter (No Response Period Set)			
Letter Requiring Formal Drawings	Supplemental Action (Excluding Examiner's Answer)	Response to a Rule 312 Amendment			
Restart Time Period (e.g., Missing References)	Interview Summary	Authorization to Change Previous Office Action SPE:			
Abandonment	Express Abandonment Date:	Abandonment After Examiner's Answer			
Examiner's Name: Hilary Grann AU: 3612					